

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JONATHAN JAMES NEWELL,)	
)	
Petitioner,)	
)	
v.)	1:21CV117
)	
SHANTICIA HAWKINS,)	
)	
Respondent.)	

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on February 24, 2021, was served on the parties in this action. (ECF No. 6). Petitioner filed an objection to the Recommendation. (ECF No. 8.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that the Petition is DISMISSED for failure to apply to the United States Court of Appeals for the Fourth Circuit for an order authorizing this district court to consider the current Petition as is required by 28 U.S.C. § 2244.

A judgment dismissing this action will be entered contemporaneously with this Order.

Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This, the 18th day of March 2021.

/s/ Loretta C. Biggs
United States District Judge